

## **Amendments to the Claims**

This listing of claims will replace all prior versions and listings of claims in the application:

### **Listing of Claims**

1. (Currently Amended) An image pickup apparatus including a first mode for picking up an object image and a second mode for reproducing a recorded image, said apparatus comprising:

an operation member which is operable toward a first position corresponding to the first mode, and is operable toward a second position corresponding to the second mode, and further itself is automatically forced to be suppressed to a third position different from each of the first position and the second position when said operation member is not operated by a user; and

a control unit, which effects control of said image pickup apparatus so as to make said image pickup apparatus active in accordance with the mode corresponding to the position to which said operation member is operated to one of the first position and the second position, if said operation member is operated when said image pickup apparatus is in a non-active state, and switch over the mode of said image pickup apparatus to the mode corresponding to the position to which said operation member is operated, if said operation member is operated to one of the first position and the second position when said image pickup apparatus is in an active state and the current mode of said image pickup apparatus is different from the mode corresponding to the position to which said operation member is operated, and continue the mode corresponding to the position to which said operation member is operated to one of the first position and the second position, even if said operation member is automatically forced to

the third position after said operation member is operated to one of the first position and the second position .

2. (Previously presented) An image pickup apparatus according to claim 1, wherein during the second mode, said control unit switches the second mode to said first mode without operating said operation member, and according to an operation of an operation member related to photographing, different from said operation member related to the first and second modes.

3. (Canceled)

4. (Previously presented) An image pickup apparatus according to claim 1, wherein said control unit withdraws a lens barrel according to the operation to the second position by means of said operation member, when said lens barrel is fed forward in a state of the second mode.

5.- 6. (Canceled)

7. (Canceled)

8. (Currently Amended) A control method of an image pickup apparatus including a first mode for picking up an object image and a second mode for reproducing a recorded image, ~~the~~ that image pickup apparatus having an operation member which is operable toward a first position corresponding to the first mode, and is operable toward a second position corresponding to the second mode, and further itself is automatically forced to be suppressed to

a third position different from each of the first position and the second position when said operation member is not operated by a user, said control method comprising:

a control step effecting control of said image pickup apparatus so as to make said image pickup apparatus active in accordance with the mode corresponding to the position to which said operation member is operated, if said operation member is operated to one of the first position and the second position when said image pickup apparatus is in a non-active state, and switch over the mode of said image pickup apparatus to the mode corresponding to the position to which said operation member is operated, if said operation member is operated to one of the first position and the second position when said image pickup apparatus is in an active state and the current mode of said image pickup apparatus is different from the mode corresponding to the position which said operation member is operated, and continue the mode corresponding to the position to which said operation member is operated to one of the first position and the second position, even if said operation member is automatically forced to the third position after said operation member is operated to one of the first position and the second position.

9. (Canceled)

10. (Previously Presented) A storage medium computer-readably storing a program comprising a program code for causing a computer to execute said control method of an image pickup apparatus according to claim 8.

11. (Currently Amended) An image pickup apparatus including a first image pickup mode for picking up an object image, a second image pickup mode for picking up an object image, a first image ~~reproducing~~ reproduce mode for reproducing a recorded image and a second image ~~reproducing~~ reproduce mode for reproducing a recorded image, said apparatus

comprising:

an operation member which is operable toward a first position corresponding to the first and second image pickup mode, and is operable toward a second position corresponding to the first and second image ~~reproducing~~ reproduce mode, and further itself is automatically forced to be suppressed to a third position different from each of the first position and the second position when said operation member is not operated by a user; and

a control unit which controls mode switching of said image pickup apparatus so as to switch over the mode thereof between the first ~~image~~ pickup mode and the second ~~image~~ pickup mode if said operation member is operated to the first position when said image pickup apparatus is in one of the first image pickup mode and the second image pickup mode, switch over the mode of said image pickup apparatus to one of the first image reproducing mode and the second image reproducing mode if said operation member is operated to the second position when said image pickup apparatus is in one of the first image pickup mode and the second image pickup mode, switch over the mode of said image pickup apparatus between the first image reproducing mode and the second image reproducing mode if said operation member is operated to the second position when said image pickup apparatus is in one of the first image reproducing mode and the second image reproducing mode, ~~and~~ switch over the mode of said image pickup apparatus to one of the first image pickup mode and the second image pickup mode if said operation member is operated to the first position when said image pickup apparatus is in one of the first image reproducing mode and the second image reproducing mode, and continue the mode corresponding to the position to which said operation member is operated to one of the first position and the second position, even if said operation member is automatically forced to the third position after said operation member is operated to one of the

first position and the second position.

12. (Currently Amended) A control method of an image pickup apparatus including a first image pickup mode for picking up an object image, a second image pickup mode for picking up an object image, a first image ~~reproducing~~ reproduce mode for reproducing a recorded image and a second image ~~reproduce~~ reproducing mode for reproducing a recorded image; that image pickup apparatus having an operation member which is operable toward a first position corresponding to the first ~~and second image pickup~~ mode, and is operable toward a second position corresponding to the ~~first and second image reproducing~~ mode, and further itself is automatically forced to be suppressed to a third position different from each of the first position and the second position when said operation member is not operated by a user, said control method comprising:

the step of controlling mode switching of said image pickup apparatus so as to switch over the mode thereof between the first pickup mode and the second pickup mode if said operation member is operated to the first position when said image pickup apparatus is in one of the first image pickup mode and the second image pickup mode, switch over the mode of said image pickup apparatus to one of the first image reproducing mode and the second image reproducing mode if said operation member is operated to the second position when said image pickup apparatus is in one of the first image pickup mode and the second image pickup mode, switch over the mode of said image pickup apparatus between the first image reproducing mode and the second image reproducing mode if said operation member is operated to the second position when said image pickup apparatus is in one of the first image reproducing mode and the second image reproducing mode, switch over the mode of said image pickup apparatus to one of the first image pickup mode and the second image pickup mode if said operation

member is operated to the first position when said image pickup apparatus is in one of the first image reproducing mode and the second image reproducing mode, and continue the mode corresponding to the position to which said operation member is operated to one of the first position and the second position, even if said operation member is automatically forced to the third position after said operation member is operated to one of the first position and the second position.